

REMARKS

This application has been reviewed in light of the Office Action dated August 24, 2004. Claims 1-50 are presented for examination, of which Claims 1-4, 19-24, 37, and 38 are in independent form. Claims 1-50 have been amended to define Applicant's invention more clearly. Favorable reconsideration is requested.

Claims 7-18, 25-36, and 39-50 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite.

The claims have been carefully reviewed and amended as deemed necessary to ensure that they conform fully to the requirements of Section 112, second paragraph, with special attention to the points raised in paragraph 1 of the Office Action. Specifically, the claims have been amended to ensure that the term "information" has adequate antecedent basis. It is believed that the rejection under Section 112, second paragraph, has been obviated, and its withdrawal is therefore respectfully requested.

Claims 1-6, 15-24, 35-38, 49, and 50 were rejected under 35 U.S.C. § 103(a) as being obvious from U.S. Patent No. 4,704,725 ("Harvey") in view of U.S. Patent No. 6,588,012 ("Tanaka"). Claims 7-14, 25-28, and 39-42 were rejected as obvious from Harvey in view of Tanaka and U.S. Patent No. 5,978,013 ("Jones"). Claims 29-34 and 43-48 were rejected as obvious from Harvey in view of Tanaka, Jones, and U.S. Patent No. 6,089,765 ("Mori").

The aspect of the present invention set forth in Claim 1 is a digital broadcast receiving apparatus having means for setting of a digital broadcast program and contents provided in the program, in advance. The apparatus further includes means for receiving digital broadcast of the program and extracting information related to the set contents and printing means for print-outputting the extracted information.

An important feature of Claim 1 is that it allows the user to set the device in advance to print out the contents provided in a program. Thus, the user does not need to operate a receiving apparatus during the broadcast period in order to obtain the printed information.

Harvey relates to an apparatus for automatically controlling and monitoring radio and television transmissions. Apparently, this system can receive and print information relating to a broadcast, such as a recipe (see col. 20, line 18 - col. 21, line 5).

However, as a threshold matter, Harvey does not teach or suggest a digital broadcast receiving apparatus, as recited in Claim 1. Rather, Harvey discusses receiving an analog cable television signal, from which data may be extracted using a digital detector (see Fig. 2A). In the Office Action, it is asserted that Fig. 6D discloses a "digital broadcast receiving apparatus," but in fact, that figure merely shows receipt of standard cable television signals using a signal processor designed to receive analog signals (see Fig. 1, which clearly shows that the signal processor receives analog signals and converts these signals into digital signals using a

mixer and a decoder/buffer/decrypter arrangement). In short, the receipt of digital broadcasts is not even contemplated in this reference.

Moreover, as acknowledged in the Office Action, Harvey does not teach or suggest means for setting of a digital broadcast program and contents provided in the program, in advance. Indeed, in the example pointed out by the Examiner, the user is prompted during broadcast of the program and then performs an entry on a local input device in order to receive the information. This differs substantially from the claimed system, which, as noted above, allows the user to set the device in advance to print out the contents provided in a program.

Tanaka relates to a combination terminal unit that receives various types of media signals, such as telephone, radio, fax, and cable television. As shown in Figs. 14 and 15, the user may perform a search of the various types of media by entering a search term. The results of the search are displayed in a list (Fig. 15), from which the user may select a desired program or other information to be retrieved. Tanaka further discusses a scheduler that establishes a line connection to a predetermined information entity at a time designated by the input device.

Tanaka also does not teach or suggest a digital broadcast receiving apparatus. The Examiner, without citing anything specific in the reference, seems to equate a "TV program" with a "digital broadcast program." (Office Action at page 8). However, these terms are not equivalent, and, in fact, there is nothing in Tanaka relating to digital broadcasting. Indeed, the word "digital" does not even appear in that reference. Furthermore, while Tanaka appears to

allow recording of previously selected programs, that reference does not teach or suggest setting a device in advance to print out the contents provided in a program, as recited in Claim 1. Thus, even assuming *arguendo* that one of ordinary skill in the art would have been motivated to combine Tanaka with Harvey in the manner hypothesized by the Examiner, the resulting combination still would not teach or suggest all of the features of Claim 1.

Accordingly, Applicant submits that Claim 1 is patentable over the cited art, and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a).

Independent Claims 2-4, 19-24, 37, and 38 include features similar to those discussed above with respect to Claim 1. Therefore, those claims also are believed to be patentable for at least the same reasons as discussed above.

In addition, Claims 3, 4, 20, 22, 24, and 38 include features that allow a user to designate print-out of information related to contents provided in recurring digital broadcast programs, e.g., weekly programs, and the information is printed out at the next and subsequent broadcast times. Therefore, the user does not need to operate the receiving apparatus every week. This feature also is not believed to be taught or suggested by the cited art.

A review of the other art of record, including Jones and Mori, has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. All of the independent claims are therefore believed patentable over the art of record.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



Leonard P. Diana
Attorney for Applicant
Registration No. 29,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 465257v1